


UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

DANIEL CARTER,)	No. CV 06-03462-FMC (VBK)
)	
Petitioner,)	ORDER (1) ACCEPTING AND ADOPTING
)	THE REPORT AND RECOMMENDATION OF
v.)	THE UNITED STATES MAGISTRATE
)	JUDGE, AND (2) DISMISSING THE
JOHN MARSHALL,)	PETITION FOR WRIT OF HABEAS
)	CORPUS
Respondent.)	

Pursuant to 28 U.S.C. §636, the Court has made a de novo review of the Petition for Writ of Habeas Corpus ("Petition"), Respondent's Answer, Petitioner's Traverse, all of the records herein and the Report and Recommendation of the United States Magistrate Judge ("Report").

IT IS ORDERED that: (1) the Court accepts and adopts the Report and Recommendation, and (2) Judgment be entered dismissing the Petition with prejudice.

DATED: January 8, 2009



FLORENCE-MARIE COOPER
UNITED STATES DISTRICT JUDGE